

PROB 12C
(7/93)

Report Date: May 31, 2013

United States District Court

for the

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

MAY 31 2013

Petition for Warrant or Summons for Offender Under SupervisionSEAN F. McAVOY, CLERK DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Jessica Almaguer

Case Number: 2:13CR02031-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: 6/6/2012

Original Offense: Second Degree Driving While License Suspended, 18 U.S.C. §§ 7 and 13; Providing False Information to Law Enforcement, 18 U.S.C. § 7; No Proof of Vehicle Liability Insurance, 18 U.S.C. § 7

Original Sentence: Prison - 5 Days
TSR - 12 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Benjamin D. Seal

Date Supervision Commenced: 6/6/2012

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 6/5/2013

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number **Nature of Noncompliance**

1

Standard Condition #3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**Supporting Evidence:** Jessica Almaguer failed to report to the U.S. Probation Office or contact this officer on May 20, 2013.

On May 15, 2013, several attempts were made to contact the defendant by phone but they were all met with negative results. That same day the undersigned officer attempted to contact her at her listed residence in Wapato, but there was no one home. A business card was left in her mailbox with instructions for her to report or contact this officer on May 20, 2013, but she failed to report as directed.

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2 **Special Condition #16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On May 22, 2013, Jessica Almaguer failed to report to Merit Resource Services for a scheduled urinalysis test.

3 **Standard Condition #6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: On or about May 17, 2013, Jessica Almaguer moved out of her home in Wapato, and failed to report a change in residence to her supervising probation officer.

On May 29, 2013, contact was made with the defendant with regard to her change in residence. Ms. Almaguer advised her mother had kicked her out of the home on or about May 17, 2013, due to personal issues and said she did not report the change of address because she was homeless at the time.

4 **Mandatory Condition #4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: On May 30, 2013, Jessica Almaguer reported to the U.S. Probation Office and admitted to using marijuana and Vicodin without a valid prescription.

On May 30, 2013, the defendant reported to the U.S. Probation Office for the purpose of providing a urinalysis test. During the collection process, the defendant was caught using a device which was taped to her torso in an attempt to provide a negative test. The makeshift device contained a liquid which appeared to be urine. When confronted, Ms. Almaguer admitted the device contained someone else's urine, which she was going to try to pass off as her own. The defendant stated the reason she used the device was because she had recently used marijuana and Vicodin and knew that her urinalysis would test positive. Ms. Almaguer indicated she started using marijuana in April 2013, and has been using the substance on a weekly basis. With regard to the use of Vicodin, she advised she started using the medication this month and had ingested approximately 10 pills to date.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

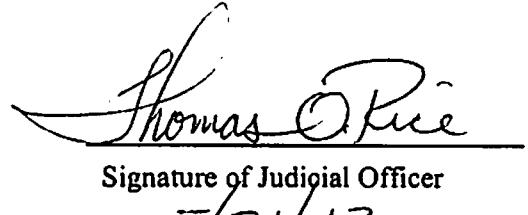
Executed on: May 31, 2013

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer
5/31/13

Date @ 12:50 p.m.